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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAMON BURKE,

Defendant.

Case: 2:21-cr-20539

Judge: Drain, Gershwin A.

MJ: Grand, David R.

Filed: 08-18-2021

INDI USA v. Damon Burke

FILED
AUG 18 2021
U.S. DISTRICT COURT
FLINT, MICHIGAN

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE
ATTEMPTED KIDNAPPING
(18 U.S.C. § 1201(a) and 1201(d))

Beginning on or about March 23, 2021, and continuing through March 26, 2021, in the Eastern District of Michigan and elsewhere, the defendant, DAMON BURKE, did unlawfully and willfully attempt to seize, confine, kidnap, abduct, and carry away, and hold Adult Victim 1 (AV-1), for ransom, reward, and otherwise and, in committing and in furtherance of the commission of the offense, traveled in interstate commerce from Massachusetts to Michigan, in violation of Title 18, United States Code, Section 1201(a) and 1201(d).

FORFEITURE

The allegations set forth in count one of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461.

As a result of the foregoing violation of Title 18, United States Code, Section 1201, as set forth in count one of the Indictment, the defendant shall forfeit to the United States of America any property, real or personal, which constitutes or is derived from proceeds traceable to said violation. Such property includes, but is not limited to, a money judgment in an amount to be determined, representing the total value of all property subject to forfeiture as described herein.

SUBSTITUTE ASSETS: Pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), the United States shall be entitled to forfeiture of substitute property up to the value of the above forfeitable property if, by any act or omission of the defendants, the above forfeitable property, or any portion thereof,

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third party;
- C. has been placed beyond the jurisdiction of the court;
- D. has been substantially diminished in value; or

E. has been commingled with other property which cannot be divided
without difficulty.

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

SAIMA S. MOHSIN
Acting United States Attorney

BENJAMIN C. COATS
Chief, Major Crimes Unit
Assistant United States Attorney

s/Christopher W. Rawsthorne
CHRISTOPHER W. RAWSTHORNE
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226-3211
(313) 226-9160
Christopher.Rawsthorne@usdoj.gov

Dated: August 18, 2021

United States District Court
Eastern District of Michigan**Criminal Case Cover**Case: 2:21-cr-20539
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials:

Case Title: USA v. DAMON BURKECounty where offense occurred : OaklandCheck One: ☒ Felony ☐ Misdemeanor ☐ Petty Indictment/ Information --- no prior complaint.☒ Indictment/ Information --- based upon prior complaint [Case number: 21-mj-30157] Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information**

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

August 18, 2021

Date

s/CHRISTOPHER W. RAWSTHORNE

Christopher W. Rawsthorne
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, MI 48226-3277
Phone: (313) 226-9160
Fax: (313) 226-2372
E-Mail address: christopher.rawsthorne@usdoj.gov
Attorney Bar #: P84401

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.